

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF WISCONSIN**

JANE DOE, a minor, by her parents and next  
friends, JOHN DOE and JILL DOE,

Plaintiff,

v.

No. 2:24-cv-00354-JPS

ELKHORN AREA SCHOOL DISTRICT,  
JASON TADLOCK, in his individual capacity,  
and RYAN MCBURNEY, in his individual  
capacity,

Defendants.

**PLAINTIFF’S UNOPPOSED MOTION TO STAY RESPONSE DEADLINE ON  
CONDITIONAL MOTION TO INTERVENE BY  
EMPOWERED COMMUNITY COALITION**

Plaintiff Jane Doe respectfully files this unopposed motion to stay Plaintiff’s deadline to respond to the Conditional Motion to Intervene (the “Motion”) filed on June 3, 2024, by the Empowered Community Coalition (“Movant”), ECF No. 33, until such time, if ever, that Movant asks the Court to act on the Motion.

In its Motion, Movant explains that, at present, “it is unclear whether the District will adequately represent its interests,” but that it wishes to file its conditional motion now to avoid timeliness objections should it seek to intervene in the future. ECF No. 33 at 3. Movant asks the Court to “hold this intervention motion in abeyance until [it] is prepared to demonstrate inadequate representation.” *Id.* at 10.

Under Civil Local Rule 7(b), Plaintiff’s response to the Motion is due within 21 days of service of the motion, *i.e.*, by June 24, 2024. Given the conditional nature of the Motion, Movant’s request that the Court hold the Motion in abeyance, and that the question of the adequacy of Defendants’ representation is not yet ripe and has not been briefed by Movant,

Plaintiff believes that deferring her deadline to respond to the Motion would be appropriate. Accordingly, if the Court grants Movant's request to hold the Motion in abeyance, Plaintiff requests that the deadline for her response be stayed during the abeyance period.

Movant and Defendants, through their respective counsel, have advised Plaintiff's undersigned attorney that they do not oppose this motion.

DATED: June 20, 2024

Respectfully submitted,

/s/ Joseph J. Wardenski  
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